

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CT-3043-D

MICHAEL SCOTT PERKINSON,)
)
Plaintiff,)
)
v.)
)
PETER WHITE et al.,)
)
Defendants.)

ORDER

On March 2, 2011, Michael Scott Perkinson ("Perkinson" or "plaintiff") filed this action pursuant to 42 U.S.C. § 1983 [D.E. 1]. On April 27, 2011, Perkinson filed a motion to dismiss this action [D.E. 8].

A plaintiff may dismiss an action voluntarily, without an order of the court, by filing a notice of dismissal at any time before the opposing party serves either an answer or a motion for summary judgment. See Fed. R. Civ. P. 41(a)(1)(A)(i). No defendants have filed an answer or a motion for summary judgment. Thus, the court will allow the voluntary dismissal.

Perkinson's motion for dismissal without prejudice [D.E. 8] is ALLOWED. The Clerk of Court is DIRECTED to close this case.

SO ORDERED. This 2 day of May 2011.


JAMES C. DEVER III
United States District Judge